Then eject him!" said Judge Hough The deputy marched in behind the rail. Arthur Heinze was already on his feet, reaching for his coat, his face pale and tensely drawn. His wife, a little woman whose red feathered hat had furnished a bright spot in the sombre court room got up beside him and they walked out with the marshal in dead silence. Mrs. Heinze was crying, in a few minutes, however, she came back to her seat, while Arthur Heinze remained outside. He Arthur Heinze remained outside. He has already been convicted of obstruct ing justice in connection with the case and sentence has been suspended upon him, and with is brother he is under in-

dictment for conspiracy. Mr. Stanchteid in his samming up for Heinze took three hours. He dweit on the fact that when the \$500.000 loan was the fact that when the \$500,000 loan was made on October 14, 1897, by the Mercantile Bank to Otto Heinze's firm Vice-President O'Brien had not told Heinze it was an overloan. He also said that the evidence did not show that Heinze had intended to rob the bank. He had put up in securities \$7 for every dollar as borrowed from a. Heinze, he said.

field, "he carries a magic wand which turns into copper everything be touches. He made mistakes and we adon't it. But the men of an American jury ought to be the last to hold a man guniv for mistakes without any evil integ. The asset the United Copper Company had or ever will have is this same fendant now before you, for whom I ask
you to return a verdict.

Mr. Wise dwelt at length on the answers

nees." Misapplication of the bank's funds, he said, was the principal crime charged. "The certification." he said, was the first step in the taking of the money. It was the prying open of the window; the other was the carrying away of the invests.

'Heinze's note to the Mercantile for the \$500,000 loan is still unpaid. The bank is still without the money, although this

that Heinze had been in 'a bunco game from January to August of 1907. To keep up the "flimflam game" in United Copper dividends had to be paid. "Checks went around their circuit in two minutes," he said, referring to the way it was done. "They broke every record for every trot-They broke every record for every trotting horse that was ever on a circuit.

"If F. A. Heinze had not had a vital interest in all this," went on Mr. Wise, "if he had been acting for the bank, he would have said. 'Let United Copper go, but the bank shall not be touched.' But he was in the gamble. He betrayed his trust and devastated the estate of the Mercantile Eank on that day in a hazard-Mercantile Eank on that day in a hazard-ous transaction for his own private gain.

Judge Hough's charge to the jury took sarly two hours. The Judge said that nearly two hours. The Judge said that the occurrences of October 14 did not themselves evidence a crime, and that if the jury did not infer from the events prior to that day that it was Heinze's intent in what he did wiifully to defraud the bank they must acquit him. He took up the charge that on October 14 checks for more than \$49,000 of Otto Heinze & Co. had been overcertified and the money misapplied, and said:

"If there were nothing before you but the statements to which I have thus far adverted I should advise you that no proof had been offered warranting a find-ing of the commission of either crime charged in the indictment. This in-struction I would give, because although you might be of opinion that the certifica-tions were unlawful because made when, you believe. Otto Heinze & Co. had their credit there is nothing in a view that the cortifications were wilful, that is, ne with knowledge and a purpose to wrong, or that the application of the do wrong, or that the application of the amounts paid on the checks was with intent to injure and defraud the bank, even in respect of the particular transaction or series of teansactions."

"You may therefore take it as an instruction by the Court on a matter of the law that although from a considera-tion only of the occurrences at the bank October 14, 1907, as related by the witnesses here, together with the condi-tion of the bank's books on that day. you may be of the opinion that there was negligent, unskilful and even dangerous banking, and although you may be of the that illegal certifications were made, that evidence alone is not sufficient to warrant a conviction upon any of the counts of the indictment, and therefore these occurrences and that evidence may be regarded as of course important when taken in conjunction with the other evidence, but standing by themselves indifferent or at most not proof of guilt.

If in your opinion the facts which I have referred to as indifferent did take place. on the afternoon of October 14, 1307, what had occurred prior to that date, shown by the evidence herein and to be considered with care in understanding, inter-preting and arriving at a conclusion upon the events of that day?"

The Court reviewed the financial his-tory of the firm of Otto Heinze & Co. and

tory of the irm of Otto Reinze & Co. and its members and the history and condi-tion of the United Copper Company. The physical condition of its properties in 1907 or at any other time, he said, it was for the jury to pass upon. The defence had contended that this was not material.
"But," said the Court, "the defendant

during all the time he was president of the bank was president of the United Cop-per Company. What he did as president of the copper company he could not for-get as president of the bank." Judge Hough then summarized the opposing contentions in the case, and soncluded:

oncluded:
"If you believe the entire contention
of the Government find the defendant
guilty; if you believe the entire contention of the defence find him not guilty.

"There is a middle course; you may be of opinion that though the check certifica-tions were illegal they were not wilfully committed yet remain of opinion that the main fact of parting with the bank's money by means of illegal but not crimi-nal overcertifications was done with intent to injure and defraud the bank and in that condition of opinion you may lawfully find him not guilty on the fifteen overcertification counts and guilty on the fifteen misapplication counts

HEINZE'S TREAT.

Astor House Bar Free to All for Three-Quarters of an Hour.

The first stop that F. Augustus Heinze, pened to be around, made after the verdict of not guilty was announced last night was at the Astor House. Mr. His name is declared to be really that he thought he was getting too old to that he bought liberally. He is guilty, the bureau bought liberally.

The around made after the verdicts or inding thirteen statepins, liber 1, 1909, but soon after informed her that he thought he was getting too old to venture into the double harness and that he guessed he would not marry.

fusion in the old hotel than there had been for years. The barroom fortunately is large enough to accommodate a big crowd. so nobody suffered for want of space. It Ninth Regiment, held their annual dinner and Pacific street, Brooklyn, and the two was somewhat difficult to pick out the in the college room of the Aster last night.

head or hat affectionately and asked:

Judge that he had recognized the intersouthern end of the bar and formed an REYS TRIED AT DR. CANNON'S admiring circle. It was immense, they said.

The host tried to make a getaway about three-quarters of an hour after the party

began. One man who slipped in unan-nounced, shook hands with him more quaintance whispered into the ear of F. Augustus, and then Mr. Heinze said: "Gentlemen, I must leave you now. Thank you for your good wishes." And to the bartender he added: "The check

The crowd bid him good night. A group of admiring friends gathered him into their midst and some one yelled: "Three cheers for Heinze." Much

hearing. Heinze and his escort left by the front door, and refused to buy from a newsboy any papers announcing "Heinze jury out." They took the elevated uptown and Heinze got something to ea, at the Wal-

PRIVATE BANKER'S ABSENCE. Mixed Condition of Affairs Leads to Hun ou Bank.

Search is being made by the police of Newark for Julius Riffli, one of the owners where he was looked upon as an uncrowned king. He was the greatest copper expert in the world and the copper
king of the West, as Hummond was the
gold king.

"Wherever he goes," said Mr. Stanch"Wherever he goes," said Mr. Stanchgold with his wife and five children at 112. of a private bank and steamship agency with his wife and five children at 112 Hamburg place, and on the day he went itu: laway ne told Mrs. Riffil that he was going to Franklin Furnace on business and would probably be delayed for a day.

When it became known that Riffil was

On the day after Riffil went away his On the day after Rimi'went away his wife received a letter from him saying that he decided to take a vacation and would be absent for a couple of weeks. Mack was the recipient of a letter from Rimi on the same day in which the writer said that he intended to be away for a few weeks on account of a breakdown of

ois nervous system. When Mack took charge of affairs he found that the accounts of the firm were culated through the pawnshops on Tues all right. Riffil had \$6,000 deposited to the credit of the firm in the Union National Bank and \$4,000 in the Ironbound Trust this list.

Two men arrested vesterday and Bank and \$4,000 in the Probbound Trust Company. There was \$1,800 in gold and money in the safe. Mack then tried to communicate with Riffil at Franklin Furnace, but could not reach him. Last Saturday the depositors heard about the disappearance of Riffil and the run on the bank started. Since then a number of people have come forward and said

MURDER TRIAL AT NIGHT. Judge Foster Speeding the Lustig Case Lawyer "Contumacious."

That the trial of Maurice M. Lustig. accused of murdering his wife, Rhoda, might be finished this week Judge Warren W. Foster of General Sessions held court until 11 o'clock last night. At that hour Lustig's lawyer said that he hoped to have three hours more in which to cross-examine Dr. Ernest Ellsworth Smith, the toxicologist who examined the organs of the woman's body.

On direct examination Dr. Smith said that he had administered some of the poison found in the liver to a frog. The 100th street frog died. Dr. Smith found, he said, traces of both strychnine and arsenic in

n his hands.

If the store again. When she return the store again. the strychnine bottle had disappeared.

Mrs. Elizabeth Stahlman and Mrs.

Aunie Erlin testified that after Mrs. good wife living."

THE TORN POSTCARD.

her of Twenty Boarding Houses.

For a couple of months there's been hardly a day Inspector Russell hasn't heard of a pink cheeked, light haired, handsome German youth who went to So and So's boarding house, engaged a soom with a \$1 bill, got-leave to move in. nt came staggering under the weight of a value and disappeared. At the same time clothing and jewels of the other boarders usually disappeared. Hauis averaged about \$125 apiece, with a fresh one every forty-eight hours.

The largest loss was in the boarding The largest loss was in the boarding house of Mrs. Bridget Moffatt at 116 Lexington avenue. Her guests lost property worth \$300. That was on April 30. Now watch Inspector Russell's regenerated Detective Bureau. In an upset room in Mrs. Moffatt's house was found a torn postcard bearing the address 519 Ninth avenue. There is the shop of R. Well. Ja. he hat ein boy for him working, one Frank Weber. Who are his friends? Well, one of them is named Bischoff. Ha' Was not Bischoff convicted in Special Sessions recently? He was.

Detectives hang around the Tombs.

Detectives hang around the Tombs. A pink cheeked, light haired, handsome German youth comes thither asking to see Bischoff. He is followed to 311 West. Thirty-sixth street, where he lives. He is apprehended. Hs is Webor.

Later the Detective Bureau announces that the prisoner has broken down and

The first stop that F. Augustus Heinze.

The delegation from Butte, spectators in that the prisoner has broken down and be prominent in Joliet. Mrs. Arbuckle is a widow, 45 years old.

The first stop that F. Augustus Heinze, that the prisoner has broken down and be prominent in Joliet. Mrs. Arbuckle is a widow, 45 years old.

In her declaration Mrs. Arbuckle avers bureau tells of finding thirteen stickpins.

Dinner of the Ninth Artilleev.

The officers of the Ninib District Coast Artillery Corps, which used to be the surface car yesterday at Franklin avenue men who had participated in the trial, but several of the jurymen were on the job.

As any newcomer tried to push his way to the brass railing where the acquitted Heinze stood, he was beaten over the

Dies While Fasting for Health.

WITHOUT BAIL.

List of Jewelry Stolen at the Time of the Bouble Murder shhows the Losting Was Good-Murdered Housekeeper Burled Yesterday in Greenwood

The valuables taken from Dr. Mott D. Cannon's house at 131 West 122d street on Monday when the double murder was committed, jewelry and gems appraised and to apply \$250 and \$300 each and other precious

marquise ring, set with a ruby surrounded by diamonds; one ring, set with two diamonds and a large sapphire; one ring, set with an opal surrounded by small diamonds; one gold chain and locket, the latter set with a large diamond; two pairs of cuff buttons studded with diamonds, one leather card case with the silver name plate inscribed "Marie F. Freeborn, diamond sunburst, a large diamond in the centre surrounded by smaller diamonds; one gold lover's knot stickpin with a small diamond in the centre, one emerald and diamond brooch, one gold double knot stick pin with a small diamond in each missing the depositors made a run on the bank and withdrew their savings Simon Mack of Elizabeth, partner of carved face of the man in the moon and Riffil, has taken charge of affairs and he is knot, one moonstone stickpin with the carved face of the man in the moon and going over the accounts of the institution. Riffl was treasurer of St Mary's Hungarian Roman Catholic Church Society and was also connected with a number of building and loan associations. His accounts with these organizations are said to be intact, but people who sent money to relatives in Europe are complaining that the money was power realized. phires and rubies, one gold stickpin, owls head design/with/ruby eyes; one gold stick of the commuters against the proposed pin in the design of a bird's claw clasping increase in rates. As far as the raifroad officials know, these protestants are apart from those who are interested in the plaining that the money was never re- of large solitaire diamond earrings, one solitaire diamond stick pin, one intaglio brooch surrounded by small diamonds, one coral brooch with earrings of same design, one gold chain bracelet with small sapphire clasp, one silver bracelet of Chinese design with jade settings.

These articles and others of lesser value were drawn on what is known at Police Headquarters as a special list and cir-

Two men arrested yesterday charged with burglary were held without hail because of the importance the detectives attached to their apprehension. These were Philip Hirskowitz and Edward Henshel, who said that they lived together at 306 East 100th street. Keys found in their possession were taken around to Dr. Cannon's house and tried on the bessenent and front door locks. on the basement and front door locks before the police asked Magistrate Butts in Harlem court to hold the two without

On Tuesday night the apartment of David Mechermeas on the top floor of the apartment house at 1651 Madison avenue was entered and a gold watch and chain and \$85 in bills were taken from Mechermeas's trousers pocket in the bedroom where he siept. To enter the apartment the thief had to open three locks, and he did it without disturbing the sleepers within.

Yesterday morning early three of the detectives assigned by Capt. Kuhne of the Hariem branch bureau to work on On Tuesday night the apartment of

the murder and robbery in Dr. Cannon's I don't care what law it is so long as it house caught Hirskowitz and Menshel attempting to get into a house at 35 East 1 fourt care what law it is so long as it is the same for the whites and the blacks. If Judge Lynch is to kill a black man for strateching a white girl. Let Judge Lynch kill a white man for attacking a black or an electric flashlight, a bunch of skele-law and spanlock kews sout two books.

the woman's body.

In the forenoon session Judge Foster ordered Benjamin Reass, Lustig's lawyer, to appear after the trial and show cause why he should not be held in contempt of court. Reass and Assistant District Attorney Knott had an argument which Reass did not appear willing to drop. Judge Foster asked him to desist.

"I take exception to your Honor's conduct as being likely to prejudice my cleim's case with the jury, said Reass, whereupon Juge Foster said that he certainly would take the matter up again and learn why the lawyer should not be held for his "contumacious conduct."

ton and snaplock keys and two books containing addresses and names of residents in the Morningside Park district about Dr. Cannon's house were found.

At first the detectives believed that the men they had caught might have been responsible only for the robbery in the Mechermeas apartment, but later after they had examined the address book and made the experiment with the burglars' keys they thought it best to inquire fully into the recent movements of the prisoners.

The funeral of Margaret Meehner, the housekeeper who was shot and beaten after the continuous conduct."

Breach of Promise to Marry.

Lustig s death they heard Lustig quarrelling with futh Tunig and heard him say to her that but for her he would have "a damages in her \$25,000 suit against have appeared before the committee and damages." Thomas Meade, a longahoreman better denied that they were engaged in any known as Cotton Hook Tom, for breach manner in the conduct of disorderly of promise. The widow's most important The defendant offset this with two

it. The defendant offset this with two souvenir postal cards he said the widow sent him expressing regret that helviidn't seem to be able to make up his mind.

Mrs. McNicholas told how she had learned to love Meade even if he was only a coal shoveler at the time, and that the wedding was first ret for October. 1905. After she got her wedding dress Cotton Hook Tom came around and said his relatives had objected and that his brother had threatened to shoot up the wedding party and kill the best man. It was thought wise to postpone the ceremony and the date was set for September. 1908. This time after Tom got his wedding suit at a coat of \$20 to the widow he came back and said his relatives had taken the suit away from him and were taken the suit away from him and were

still objecting.

Cotton Hook Tom denied that he ever asked the widow to marry bim. She asked him once and he told her she was silly, he said. He said the widow did buy him a suit when he was out of work and needed it but it wasn't for merimenial.

by Mrs. Martha Arbuckle, who is said to be prominent in Joliet. Mrs. Arbuckle

In her declaration Mrs. Arbuckle avers that Turner promised to marry her Octo-ber 1, 1809, but soon after informed her

Trolley Car Hits Ambulance. An ambulance from the Swedish Hos-

An ambulance from the Swedish Hospital was struck by a Franklin avenue surface car yesterday at Franklin avenue and Pacific street, Brooklyn, and the two ambulance surgeons were thrown out, but not seriously injured. The ambulance driver, Robert Hansen, said that the motorman, Edward A. Cox of 748 Franklin avenue, paid no attention to his gong and that the car went on a block after hitting the ambulance.

Pitchar interfered and Jondesch went in our proposition that we will keep all competent men we have employed since the strike. I expect, all the same, that an agreement will be made within forty-eight hours."

The board of governors of the Building Trades Employers Association held a meeting yesterday afternoon, and after it was over Chairman Norman of the committee was asked if the settlement of New York, who for several years has would not.

Earthquake in Texas.

"What do you know about it? What?"
Heinze himself was simply swamped with congratulations. His silk hat was firmly planted on the back of his head and stayed on, but he said that he never before realized he had so many friends. The jurymen, getting ready to go home, piled their bags and suit cases on the said that he restricted to take the "starvation treatment."

Mes While Fasting for Health.

YERATILE, Wash., May 12.—L. E. Rader. inhabitants of Waller and Washington counties declare was an earthquake took polace last night. The disturbance rattled the windows and alarmed many people. It was felt in Hempstead. Waller, San Felipe and several other towns.

MORE COMMUTERS PROTEST. SHOTS AMONG THE CHIMNEYS

Bich New Yorkers Living in Greenwich to Appeal to Interstate Come GREENWICH, May 12. The indigna-

tion of Greenwich at the rise in commutation rates on the New Haven road was expressed by the meeting of the local board last evening. The action was made public this afternoon by its secretary, Nathan R. McKinney.

After much discussion by prominent New Yorkers who have homes here it was decided to pass resolutions of remot strunce to be sent to President Mellen at \$10,000 by one who has seen the list formulation at Washington for redress, as there is no public service commission in Connecticut to handle such matters, include several single diamonds worth include several single diamonds worth \$250 and \$300 each and other precious stones. The most valuable articles in the list are:

One ring set with two large diamonds, one ring set with three diamonds, one ring set with a ruby surrounded may large feller. E. C. Converse, W. R. H. Martin, Edward Shearson, Charles A. Moore, George M. Pynchon, George F. Dominick, A. A. Anderson, A. Foster Higgins, James, McCutchen, Col. E. McKinger, Henry McCutchen, McCutchen, Henry McCutchen, McCutchen, Henry McCutchen, McCutcheon, Col. R. C. McKinney, Henry Schaeffer, Henry F. Schwartz, Charles T. Wills and F. F. Wurster, New Haven, May 12.—John G. Parker,

secretary of the New Haven road, to-day received notice from the Public Service Commission, Second District of New York. that a protest had been filed against the to the roof of 412 he found the scuttle increase of the commutation rates on the open. He couldn't see any one below. York division. ew York division.

The complaint against the increased

and the company must reply within in a table but was open and its contents rates are unjust, unreasonable and contrary to law. The Commission is asked to begin proceedings against the railroad in the Supreme Court with a view of at least gaining a temporary delay in the enforcement of the new rates.

This is the first legal step in the fight of the commissions are processed. The man, with the commission of the commission is asked to begin proceedings against the railroad on the floor. Rice emerge the commission is asked to begin proceedings against the railroad on the floor.

general movement undertaken by the Mayors and other city officials in that district, who seek through the Public Service Board and the Interstate Commerce Commission to prevent the New Haven road from putting the new rates in effect.

TALK OF THE NEGRO VOTE. Western Socialist Has a Word to Nay in Favor of Lynch Law.

At the conference at Cooper Union las night on the subject of disfrauchisement of the negro, Clarence Darrow, a western lawyer and socialist, made the chief

"Almost fifty years ago," he said. "the South was humiliated, destroyed and bankrupt and forced to give up their property. Men like Garrison, Charles street. Sumner and Phillips Brooks fought a great cause and won it. The North conquered the South. But since then the South has turned about and quietly, patiently, conquered the North

I'm not grieving because the negroes I'm not grieving because the negroes down there have lost the ballot, but I am grieving because the great power of the pulpit and the press is sitting idle up here and allowing an inoffensive

ectives assigned by Capt. Kuhne of cry of the press and the people for blood Harlem branch bureau to work on through the jury box are the same thing

a white girl."
Congressian William S. Bennet of New York followed him and took issue on the subject of lynch law.
Ray Stannard Baker, Mrs. Ida Wells Barnett, a negro, and the Rev. Revery C. Ransom, pastor of the Bethel A. M. E. Church, also spoke.

NOT DISORDERLY HOUSES.

Pittsburg Chamber of Commerce Exonerates Daizell Watson and Gordon. PITTSBURG, May 12. The municipal Pitrssuag, May 12.—The municipal storage purposes the teachers' hata affairs committee of the Pittsburg Cham-have outgrown them and for several the housekeeper who was shot and beaten and learn why the lawer should not be held for his "contunacions conduct."
Mrs. Mary Livingston, whose husband has a drug store at Madison avenue and has a corresponding to the televistic tried to buy strychnine in the store. She was corresponded by two of the clerks. Mrs. Livingston further testified that on the Sunday before the woman's death Laustig tried to buy strychnine to the store she was corresponded by two of the clerks. Mrs. Livingston further testified that on the Sunday before the woman's death Laustig tried to branch of the Y. M. C. A. on West Fifty-third street.

No DAMAGES FOR THE WIDOW.*

**No Damage to the housekeeper who was shot and beaten in Dr Cannon's home on Monday, was before the services in Dr. Cannon's with a protected that the women have been compelled to place their hats on chairs, tables, so fas and ofttimes on the floor. It nation places the woman's two places their hats on chairs, tables, so fas and oftimes on the floor. It nation places the woman's work and bear of the resolution, "with the place of the resolution," with the place of the resolution, "with the place of the resolution," with the place of the resolution, "with the place of the resolution," with the place of the resolution, "with the place of the resolution," with the place of the resolution, "with the place of t returned from waiting on a customer she saw him with the strychnine bottle in his hands. She was called to the front of the store again. When she returned Cotton Hook Tom Not Limble for Black in his resolution and international reputational reputations and international reputations (Congressman John Dalzell, D. T. were sorely distressed over the size of their lockers and he took a peek into the certain pieces of property owned by them. A jury before Supreme Court Justice occupied by disreputable people for Gavegan decided yesterday that Mary years."

THE TORN POSTCARD, of promise. The widow's most important testimony was that Cotton Hook Tom of the lawyers that the resignation of the lawyers that the resignation of Mr. Black from the Chamber of Commerce. him a wedding suit and he was wearing would be demanded to-night because of his charges. At the meeting those who had intended this evidently thought

Mr. Black took the floor and made was no ground for the resolution, that it was the sense of the committee that Mr. Black had made the charges for selfish

made to the municipal committee regarding the property of the three attorneys mentioned, in which was embodied the statement that in January, 1906, he had personally conducted Watson through the officers of the union reported after the meeting of the strikers in Arlington asked the widow to marry bim. She asked him once and he told her she was silly he said. He said the widow did buy him a suit when he was out of work and needed it, but it wasn't for matrimonial purposes.

Widow Sues for Breach of Promise.

Chicago, May 12.—John W. Turner, president of the Universal Pneumatic Transmission Company, was made defendant in a breach of promise suit for sendant in a breach of

New York, who for several years has New York, who for several years has been one of the special counsel of the State Insurance Department for the examination of titles in which insurance companies were interested was an accompanies were interested was an accompanies. ompanies were interested, was ap-pointed to-day by Superintendent Hotchpointed to-day by Supermientent moterials of the Insurance Department assistant to the chief of the new liquidation bureau at an annual salary of \$3,000.

Mr. Ward will be in charge of the sub-pureau at the New York office.

WHE Murderer Convered.

Paterson, N. J., May 12.—Arthur Rose, a negro chauffour who killed his wife with a razor on March 9, was this evening conducted of murder in the first degree.

THREE SCARED THIEVES RUSH POLICEMAN ON A ROOF.

Burglars at William Haight's Pop Through the Scuttle When the Cop Comes Nosing-He Stands 'Em Off With a Gun and Reserves Help in the Capture.

Bumpings on the other side of the wall woke up William Baxter, who lives at 414 West 147th street, at 5 o'clock yesterday morning. In a drowsy way Mr. Baxter knew that William Haight, a contractor and builder who lives in 412, had been in Larchmont with his family for a month. The bumpings were therefore a sign of something wrong. Mr. Baxter put on a suit of underwear,

shoes and a coat and hurried to the street. On the St. Nicholas avenue corner he spied Policeman Rice of the West 152d street station. He told the policeman about the bumpings. The first thing Rice did was to telephone for the reserves. Then he clambered to

the roof of the Baxter residence. Stepping

With some care he descended. As he tiptoed from room to room Rice rates, according to the information received here, is signed by William P. Hikok of R. G. Tallman of Mount Vernon, have been the wind. He heard a footfall or two. He found no one in the house, but not a shelf in a cupboard, not a drawer

> Rice emerged on the roof and looked hard around him. Three houses away on a roof toward Amsterdam avenue the policeman saw a man dodge behind a chinney. He ran toward the chimney. The man, with two others, started from cover, ran and jumped over the roofs toward Amsterdam avenue. Rice shouted. They kept on running. He fired a shot. All three men stopped, and after a mo-ment dashed at him.

ment dashed at him.

At the corner a block away Rice could just glimpse the reserves coming on the run. He fired another shot as the three men dashed at him. They didn't falter, and he fired two more shots at close range, purposely missing. He determined to fire his last shot in earnest if they engaged him hand to hand.

The fourth shot at close range intimidated the three. They stopped short

dated the three. They stopped short a few yards from the policeman. Hereto-fore no one had uttered a word. "Throw up your hands" yelled Rice. The three did so. The reserves swarmed on the roof a moment later and the men

house on Amsterdam avenue and entered through the scuttle, out of which they must have alipped while Rice was peering through the downstairs rooms.

ROOM FOR TEACHERS HATS. New Educational Problem in Process of Solution in Jersey City.

Director Donnellan of the Jersey City pard of Education, whose friends call him Matty because his parents named him Mike, is blushing these days over the nice things that the teachers of Public School 2 in Erie street, are saying about him for coming to the rescue of their big broad brimmed hats. When the plans for the school were

designed the architect provided a series of closet lockers in the teachers' room. Being a mere man, his mind was not rivetted on the ever changing styles in headgear. Although the closets originally were large end Black in his resolution averted that hose that have the decided that something would have cocupied by disreputable people for years."

Messrs, Dalzell, Watson and Gordon a few days ago. Now the teachers of No.2 school are happy, but a spirit of discona few days ago. tent is being stirred up among the teachers in the other public schools who cannot insert their hats through the narrow doors of their individual closets. It is possible that the Board of Edu-

cation may buy a big enough supply of hat trees to go around the schools.

STEAMFITTERS' STRIKE ENDING long statement when Chairman English of the committee announced that there ment is Expected.

There seemed to be a difference opinion when the committee of the Master Steam and Hot Water Fitters motives, &c.

Mr. Black spoke for an hour. He accused the municipal committee of having whitewashed the investigation and called to the attention of the Chamber that Mesers. Dalzell, Watson and Gordon had been informed of the adverse action of the committee far in advance of others. He read a copy of the report which he had made to the municipal committee regarding the property of the three attorneys mentioned, in which was embodied the

BEATS WIFE, STABS STEPSON.

George Pitchar Cut Down While Protecting His Mother.

Joseph Jondesch, who lives with his wife and sterson George Dichar Cut Down While Protecting His Mother.

Joseph Jondesch, who lives with his wife and sterson George Dichard with the strikers with the provider of Monday at the old wages, with the privilege of activities. wife and stepson, George Pitchar, at 230 an advance of wages with the privilege of asking for an advance of wages without naming any aum at the end of the year. We did not, however, make any promise to grant an alvance, and it was distinctly understood Pitchar interfered and Jondesch went in our proposition that we will keep all

Wife Hurderer Convicted.

NOT OFFERED TO FAIRBANKS. Parmer Vice-President Says Amba

INDIANAPOLIS, May 12.—Speaking of the report from Washington that Presi-dent Taft contemplated offering him the Ambassadorship to Great Britain, former Vice-President Fairbanks said to-day: President Taft has sent me no offer of the Ambassadorship to the Court of St James's at this time. I have not had any letter or despatch from him and know nothing of the rumor that my name is mentioned in connection with the office. I could not say whether or not the accession of King George to the throne would make any difference to me, nor could I say whether I should accept if offered the honor."

Washington, May 12.—President Taft has not communicated with former.

has not communicated with former Vice-President Fairbanks offering him the place as Ambassador to Great Britain to succeed Whitelaw Reid. At the White House to day the report that Mr. Taft had offered this important diplomatic post to Mr. Fairbanks was denied explicitly.

expired y.

It was denied also that any communi-cation on the subject has passed between Mr. Taft and Mr. Fairbanks. It was understood several months ago that Mr. Reid would be continued an Ambassador at London for at least one year and possibly for two years. According to those in authority there has been no reason to change this plan.

PRISONER HELD UNLAWFULLY. 4 Hint From the Supreme Bench for

Magistrate and Police. Supreme Court Justice Whitney directed the release yesterday of Joseph Lerms one of the four men arrested on April 7 charged with complicity in the theft of the \$10,000 worth of Waltham watch of the \$10,000 worth of Waltham watch movements from the White Star pier on March 18. Lerman sued out a writ of habeas corpus and objected to being held longer without a hearing. In sustaining the writ the Court said that his detention on a short affidavit has been a flagrant violation of law.

"The only excuse offered is that the police have been too busy to observe the rights of prisoners as guaranteed by law," said the Court. "This excuse needs no comment."

MOVE FOR UNIFORM LAWS. ndiana Forms a State Organization to

INDIANAPOLIS, May 12 .- A meeting was held here to-day to form an Indiana were made prisoners.

They said they were Edward O'Brien, laborer. 2815 Eighth avenue; John Edwards, driver, 235 West 125th street, and Michael Lanigan, driver, 310 West 148th street. Lanigan is 60 years old. The others are youths. All three were held in the Harlem police court for trial in Special Sessious for burglary.

The police think that the men must have visited the Haight house several times. Mr. Haight could not tell yesterday how much had been taken, so he set his loss at \$500 for the present.

A neighbor said the burglars entered through a coal hole on the sidewalk. The police think it more likely that they let themselves down from the roof of a flat house on Amsterdam avenue and entered

United Mine Workers, said that he was council in connection with the mo

to aid in the work of bringing uniformity about.

John Mitchell, former president of the United Mine Workers, said that he was chiefly interested in the subject of employers' liability laws, that those now in force are unfair and he hoped the federation would be able to secure changes and make them uniform in all the States.

HOE EXECUTORS DENY

That Mrs. Johns Owns the Stock Certificates Assigned in Blank.

Edward C. Pringle, counsel for the exec utors of the Robert Hoe estate, filed the answer yesterday in the suit brought by Mrs. Margaret Johnson Brown Johns against the Metropolitan Trust Company and the executors of the Hoe estate to and the executors of the Hoe estate to compel the trust company to transfer to her name sixty-six shares of trust company stock, worth \$35,000, for which she says she holds power in blank from Robert Hoe. The answer denies on information and belief that Mr. Hoe ever delivered the power in blank to Mrs. Johns or that she is the lawful owner of the certificates.

Newport, Guilty, Sent to Asylum

PITIFUL CASE OF SKIN DISEASE

When Two Months Old, Baby had Pimples Spread All Over Body -Broke and Left Skin Like a Scald - An Awful Sight - Doctor Afraid to Put His Hands on the Child.

CURED AT SLIGHT COST BY CUTICURA REMEDIES

"Our baby when two months old was suffering with terrible eczema from head to foot, all over her body. The baby looked just like a skinned rabbit. We were rabbit. her body. The baby looked just like a ski nned rabbit. We were unable to put clothes on her. At first it seemed to be a few mattered pimples. They would break the skin

tered pimples. They would break the akin and peel off leaving the underneath skin red as though it were scalds. Then a few more pimples would appear and spread all over the body leaving the baby all raw without skin from head to foot. On top of her head there appeared a heavy scale a quarter of an inch thick. It was awful to see so small a baby look as she did. Imagine! The doctor was afraid to put his hands to the child. We tried several doctors' remedies but all falled. "Then we dacided to try Cuticura. By using the Cuticura Ointment we softened the scale and it came off. Under this, where the real matter was, by washing with the Cuticura Soap and applying the Cuticura Ointment, a new skin soon appeared. We slee gave baby four drops of the Cuticura Resolvent three times daily. After three days you could see the body gaining a little skin which would peel off and heal underneath. Now the baby is four months old. She is a fine-picture of a fat little baby and all is well. We only used one cake of Cuticura Soap, two boxes of Cuticura Resolvent. If people would know what Cuticura is there would be few unffering with ecmena. Mrs. Joseph Ecosamiann, 7 St. John's Place, Ridgewood Beights, L. L., N. Y., Apr. 30 and Bay 4, 1966."

Cuticura Goans Wash. Gathurs Ointmens (80c.) and Goans and Gasal. Mrs. His the form of Consonian Gasal Wash.

can District Messenger office in the city.

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sh styles, sewing and reinforcements that add to the life of a suit. We make a specialty of roomy sizes

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for big boys. Knickerbocker Suits \$5 to \$14

ESTAB OVER HALF A CENTURY



DIED.

RONSON.-Suddenly, in London, England, on May 3, 1910, Ange Fliess, wife of Paul Bronson and daughter of the late William M. and Ange Post Filess, Funeral at the Church of the Heavenly Rest.

551 5th av., on Saturday, May 14, at 12 o'clock OBB.—On Wednesday, May 11, 1910, at East Orange, N. J., Mattida Van Žandt, wife of the late Rev. Henry V. Cobb, D. D., and

daughter of the late Matthew Thomas and Maria Suydam Van Zandt: Services will be held at 50 Glenwood av., East Orange, N. J., at 10 A. M., or on arrival at Brick Church station of train leaving 3d at. ferry, D. L. & W. R. R., 9:30 A. M. on Satur-

day, May 14.

DAHMS.—On May 18. Joffa H. Dahms.

Funeral from the Private Funeral Pariors, 304

West 126th st., Stephen Merritt Co., Fridat

DARROW .- At the residence of her son, Summit. N. J., on May 12, 1910, after a lingering it ness. Mary Clark, widow of the late Willia Darrow, in her Sad year. Funeral private FLIESS.-Ange J. See notice under Bronson FORD.—Suddenly, of apoplexy, on Weinesday May 11, 1916, Fred Nelson Ford, son of the

late Nathaniel Ford, M. D., and Harriel Net son Ford. Funeral services will be held at his late redence, 76 lst pince, Brooklyn on Frida evening, May 13, 46 8 o'check. Helativer and friends are invited to attend. Kindy and

MACLAIRE. On May 12, 1910, Esther Mariano Services "THE FUNERAL CHURCH." 241 West. (CAMPBELL BLDG.). Funeral private

Mill. S.—On Thursday, May 12, Kathanie I Du Bois, widow of John E. Mills Funeral services will be held at the resolu-of her brother in law, C. M. Mather, 15 We 122d st., Saturday, May 14, 2 P. M RUCH .- On Wednesday, May 11, 1910, after long illness, May Merriam, beloved wife of I.

Services at late residence, 151 Lafayette a Brooklyn, Friday, May 13, 2:30 P. M. Sac and Chicago papers please copy. SSELL.-On May 11. at Asheville, N C Jons L. Bussell. Services "THE FUNERAL CHURCH 24f West 23d st. (Campberl Bing.

SMITH. On May 12, Eva Smith Second THE FUNERAL CHURCH, 241 West 22d St. (CAMPBELL BLDG.), Sinday evening 8 0 0005 UNDERTAKERS.

FRANK E. CAMPBELL, 241-243 W. 23d St. Chapels. Ambulance service. Tel. 1324 i heliota. No Extra Charge for It.

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